

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :  
 :  
 v. : **Order of Continuance**  
 : 21 Mag. 1245  
TRACII SHOW HUTSONA, :  
 :  
 Defendant. :  
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Upon the application of the United States of America and the affirmation of Timothy V. Capozzi, Assistant United States Attorney for the Southern District of New York, it is found that the defendant, Tracii Show Hutsona, was arrested in the District of Arizona on February 17, 2021, and was charged with violations of 18 U.S.C. §§ 1343, 1028A and 2 in a complaint dated February 2, 2021.

It is further found that the defendant was presented before Magistrate Judge Deborah M. Fine in the District of Arizona on February 18, 2021;

It is further found that the defendant appeared before Magistrate Judge Deborah M. Fine in the District of Arizona on February 19, 2021, for a detention hearing, and was ordered released on bail;

It is further found that the defendant was presented before Magistrate Judge Barbara Moses in the Southern District

of New York on March 9, 2021, and the defendant's release on bail was ordered continued;

It is further found that Tamara Giwa, Esq., counsel for the defendant, and Assistant United States Attorney Timothy V. Capozzi have engaged in, and are continuing, discussions concerning this case and its possible disposition;

It is further found that the Government has requested a continuance of 30 days to engage in further discussions with counsel about the disposition of this case and that the defendant, through counsel, has consented to such a continuance for that purpose and has specifically waived her right to be charged in an indictment or information for an additional period not to exceed 30 days; and

It is further found that the granting of such a continuance best serves the ends of justice and outweighs the best interests of the public and the defendant in a speedy trial; and therefore it is

ORDERED that the request for a continuance pursuant to 18 U.S.C. § 3161(h)(7)(A) is hereby granted until May 10, 2021, and that a copy of this Order and the affirmation of Assistant United States Attorney Timothy V. Capozzi be served on this date

on counsel for the defendant by the United States Attorney's  
Office.

Dated: New York, New York  
April 8, 2021

A handwritten signature in blue ink, reading "Stewart D. Aaron".

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UNITED STATES MAGISTRATE JUDGE  
Stewart D. Aaron

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

:

v. :

:

TRACII SHOW HUTSONA, :

:

**Affirmation in Support of  
Application for an Order of  
Continuance**

Defendant. :

:

21 Mag. 1245

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State of New York )

County of New York : ss.:

Southern District of New York )

Timothy V. Capozzi, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Audrey Strauss, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. § 3161(h)(7)(A).

2. The defendant was arrested in the District of Arizona on February 17, 2021, and was charged with violations of 18 U.S.C. §§ 1343, 1028A, and 2 in a complaint dated February 2, 2021. The defendant was presented before Magistrate Judge Deborah M. Fine in the District of Arizona on February 18, 2021.

On February 19, 2021, the defendant appeared before Magistrate Judge Deborah M. Fine in the District of Arizona for a detention hearing, and was ordered released on bail. The defendant was presented before Magistrate Judge Barbara Moses in the Southern District of New York on March 9, 2021. The defendant was represented by Tamara Giwa, Esq., and the defendant's release on bail was continued.

3. Subsequent to the initial presentment in the Southern District of New York, defense counsel consented to a preliminary hearing, pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure, 30 days from the date of presentment—that is, on April 8, 2021.

4. As the defendant was arrested on February 17, 2021, under the Speedy Trial Act, the Government initially was required to file an indictment or information on or before March 18, 2021. See 18 U.S.C. § 3161(b).

5. On March 18, 2021, Magistrate Judge Sarah L. Cave granted the Government's application to extend the time in which to file an indictment or information by 21 days. Accordingly, under the Speedy Trial Act, the Government had until April 8, 2021 to file an indictment or information.

6. Tamara Giwa, Esq., defense counsel representing the defendant, and I have begun discussions concerning this case

and its potential disposition. Our discussions have not been completed, and we plan to continue our discussions but do not anticipate a resolution of the case before the deadline under the Speedy Trial Act expires on April 8, 2021.

7. Therefore, the Government is requesting a continuance until May 10, 2021, to continue the foregoing discussions and reach a disposition of this matter. I personally communicated with defense counsel, and the defendant, through counsel, consents to this request.

8. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York  
April 2, 2021



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Timothy V. Capozzi  
Assistant United States Attorney  
(212) 637-2404